

04772 U.S. PTO  
17/11/03

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PTO/SB/05 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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### UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 05398.P005X

(maximum 12 characters)

First Named Inventor Mansur B. Kiadeh

Title: METHOD FOR MAXIMIZING LIGHT THROUGHPUT IN AN OPTICAL SWITCH

Express Mail Label No. EU835612858US

ADDRESS TO: Mail Stop Patent Application  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. XX Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. \_\_\_\_\_ Applicant Claims Small Entity Status. (37 CFR 1.27)
3. XX Specification (Total Pages 40)  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. XX Drawings(s) (35 USC 113) (Total Sheets 31)
5. XX Oath or Declaration (Total Pages 3)
  - a. X Newly Executed (Original or Copy)
  - b. \_\_\_\_\_ Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 18 completed)
    - i. \_\_\_\_\_ DELETIONS OF INVENTOR(S) Signed statement attached deleting  
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)  
and 1.33(b).
  - c. \_\_\_\_\_ Unsigned.
6. XX Application Data Sheet. (37 CFR 1.76)
7. \_\_\_\_\_ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. \_\_\_\_\_ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. \_\_\_\_\_ Computer Readable Form (CRF)
  - b. \_\_\_\_\_ Specification Sequence Listing on:
    - i. \_\_\_\_\_ CD-ROM or CD-R (2 copies); or
    - ii. \_\_\_\_\_ paper
  - c. \_\_\_\_\_ Statement verifying identity of above copies

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10/621822  
07/16/03

**ACCOMPANYING APPLICATION PARTS**

9. XX **Assignment Papers (cover sheet & documents(s))**

10. \_\_\_\_\_ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)

\_\_\_\_\_ b. Power of Attorney

11. \_\_\_\_\_ English Translation Document (if applicable)

12. \_\_\_\_\_ a. Information Disclosure Statement (IDS)/PTO-1449

\_\_\_\_\_ b. Copies of IDS Citations

13. \_\_\_\_\_ **Preliminary Amendment**

14. XX **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**

15. \_\_\_\_\_ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. \_\_\_\_\_ **Nonpublication Request under 37 USC 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**

17. \_\_\_\_\_ Other: \_\_\_\_\_

Continuation Divisional X Continuation-in-part (CIP)  
Of Prior Application No.: 10/171,298 Examiner \_\_\_\_\_ Group Art Unit 2872  
(which is a \_\_\_\_\_ continuation/\_\_\_\_\_ divisional/\_\_\_\_\_ CIP of prior application no. \_\_\_\_\_  
(which is a \_\_\_\_\_ continuation/\_\_\_\_\_ divisional/\_\_\_\_\_ CIP of prior application no. \_\_\_\_\_) (List entire chain of priority)

**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

The undersigned states that \_\_\_\_\_ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_ (or a copy of which is attached).

**X** Customer Number or Bar Code Label 27660  
or  
Correspondence Address Below (Insert Customer No. or Attach Bar Code Label here)

NAME Bradley J. Berezna  
BURGESS & BEREZNAK, LLP

ADDRESS 800 West El Camino Real  
Suite 180

CITY Mountain View STATE California ZIP CODE 94040


Country U.S.A. TELEPHONE (650) 903-2264 FAX (650) 903-2280

Signature: [Signature] Date: 7-16-03

"Express Mail" mailing label number: EU835612858US  
Date of Deposit: July 16, 2003

I hereby certify that I am causing this Utility Transmittal and copy thereof, attached Fee Transmittal and copy thereof, attached Application Data Sheet, specification, drawings, executed Declaration, executed Assignment, Postcard, and a check in the amount of \$508.00, to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that these papers and fee have been addressed to the Commissioner of Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450

Caitlin R. Burgess  
(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

7-16-03  
(Date signed)

**FEE TRANSMITTAL FOR FY 2003****TOTAL AMOUNT OF PAYMENT (\$)** \$ 508.00**Complete if Known:**

Application No. Not Yet Assigned  
 Filing Date July 16, 2003 (Concurrently Herewith)  
 First Named Inventor Mansur B. Kiadeh.  
 Group Art Unit Not Yet Assigned  
 Examiner Name Not Yet Assigned  
 Attorney Docket No. 05398.P005X

**METHOD OF PAYMENT (check one)**

1. ☒ **The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:**

Deposit Account Number 502060  
 Deposit Account Name BURGESS & BEREZNAK, LLP

☒ **Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17**

☒ **Applicant claims small entity status. See 37 CFR 1.27**

2. ☒ **Payment Enclosed:** ☒ **Check (\$508.00)**  
☐ **Money Order**  
☐ **Other**

**FEE CALCULATION****1. BASIC FILING FEE**

| <u>Large Entity</u> |                 | <u>Small Entity</u> |                 | <u>Fee Description</u>             | <u>Fee Paid</u>         |
|---------------------|-----------------|---------------------|-----------------|------------------------------------|-------------------------|
| <u>Code</u>         | <u>Fee (\$)</u> | <u>Code</u>         | <u>Fee (\$)</u> |                                    |                         |
| 1001                | 750             | 2001                | 375             | Utility application filing fee     | <u>375.00</u>           |
| 1002                | 330             | 2002                | 165             | Design application filing fee      | <u>          </u>       |
| 1008                | 520             | 2008                | 260             | Plant filing fee                   | <u>          </u>       |
| 1004                | 750             | 2004                | 375             | Reissue filing fee                 | <u>          </u>       |
| 1005                | 160             | 2005                | 80              | Provisional application filing fee | <u>          </u>       |
| <b>SUBTOTAL (1)</b> |                 |                     |                 |                                    | <b>\$ <u>375.00</u></b> |

**2. EXTRA CLAIM FEES**

|                           |           |                 |          | <u>Extra Claims</u>                 | <u>Fee from below</u> | <u>Fee Paid</u>       |
|---------------------------|-----------|-----------------|----------|-------------------------------------|-----------------------|-----------------------|
| <b>Total Claims</b>       | <u>21</u> | <b>- 20** =</b> | <u>1</u> | <input checked="" type="checkbox"/> | <u>9.00</u>           | <b>= <u>9.00</u></b>  |
| <b>Independent Claims</b> | <u>5</u>  | <b>- 3** =</b>  | <u>2</u> | <input checked="" type="checkbox"/> | <u>42.00</u>          | <b>= <u>84.00</u></b> |
| <b>Multiple Dependent</b> |           |                 |          |                                     | <u>140.00</u>         | <b>= <u>0.00</u></b>  |

\*\*Or number previously paid, if greater; For Reissues, see below.

| <u>Large Entity</u> |                 | <u>Small Entity</u> |                 | <u>Fee Description</u>                                    |
|---------------------|-----------------|---------------------|-----------------|---|
| <u>Code</u>         | <u>Fee (\$)</u> | <u>Code</u>         | <u>Fee (\$)</u> |   |
| 1202                | 18              | 2202                | 9               | Claims in excess of 20                                    |
| 1201                | 84              | 2201                | 42              | Independent claims in excess of 3                         |
| 1203                | 280             | 2203                | 140             | Multiple dependent claim, if not paid                     |
| 1204                | 84              | 2204                | 42              | **R issue independent claims over original patent         |
| 1205                | 18              | 2205                | 9               | **Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** \$ 93.00

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| <u>Large Entity</u> |                 | <u>Small Entity</u> |                 | <u>Fee Description</u>   | <u>Fee Paid</u> |
|---------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Code</u>         | <u>Fee (\$)</u> | <u>Code</u>         | <u>Fee (\$)</u> |  |                 |
| 1051                | 130             | 2051                | 65              | Surcharge - late filing fee or oath  |                 |
| 1052                | 50              | 2052                | 25              | Surcharge - late provisional filing fee or cover sheet                     |                 |
| 1053                | 130             | 1053                | 130             | Non-English specification  |                 |
| 1812                | 2,520           | 1812                | 2,520           | For filing a request for ex parte reexamination                            |                 |
| 1813                | 8,800           | 1813                | 8,800           | Request for inter parties reexamination                                    |                 |
| 1804                | 920*            | 1804                | 920*            | Requesting publication of SIR prior to Examiner action                     |                 |
| 1805                | 1,840*          | 1805                | 1,840*          | Requesting publication of SIR after Examiner action                        |                 |
| 1251                | 110             | 2251                | 55              | Extension for reply within first month                                     |                 |
| 1252                | 410             | 2252                | 205             | Extension for reply within second month                                    |                 |
| 1253                | 930             | 2253                | 465             | Extension for reply within third month                                     |                 |
| 1254                | 1,450           | 2254                | 725             | Extension for reply within fourth month                                    |                 |
| 1255                | 1,970           | 2255                | 985             | Extension for reply within fifth month                                     |                 |
| 1401                | 320             | 2401                | 160             | Notice of Appeal   |                 |
| 1402                | 320             | 2402                | 160             | Filing a brief in support of an appeal                                     |                 |
| 1403                | 280             | 2403                | 140             | Request for oral hearing   |                 |
| 1451                | 1,510           | 1451                | 1,510           | Petition to institute a public use proceeding                              |                 |
| 1452                | 110             | 2452                | 55              | Petition to revive - unavoidable   |                 |
| 1453                | 1,300           | 2453                | 650             | Petition to revive - unintentional   |                 |
| 1501                | 1,300           | 2501                | 650             | Utility issue fee (or reissue)   |                 |
| 1502                | 470             | 2502                | 235             | Design issue fee   |                 |
| 1503                | 630             | 2503                | 315             | Plant issue fee  |                 |
| 1460                | 130             | 1460                | 130             | Petitions to the Commissioner  |                 |
| 1807                | 50              | 1807                | 50              | Processing fee under 37 CFR 1.17(q)  |                 |
| 1806                | 180             | 1806                | 180             | Submission of Information Disclosure Stmt                                  |                 |
| 8021                | 40              | 8021                | 40              | Recording each patent assignment per property (times number of properties) | 40.00           |
| 1809                | 750             | 2809                | 375             | For filing a submission after final rejection (see 37 CFR 1.129(a))        |                 |
| 1814                | 110             | 2814                | 55              | Statutory Disclaimer   |                 |
| 1810                | 750             | 2810                | 375             | For each additional invention to be examined (see 37 CFR 1.129(b))         |                 |
| 1801                | 750             | 2801                | 375             | Request for Continued Examination (RCE)                                    |                 |
| 1802                | 900             | 1802                | 900             | Request for expedited examination of a design application                  |                 |
| 1504                | 300             | 1504                | 300             | Publication fee for early, voluntary, or normal pub.                       |                 |
| 1505                | 300             | 1505                | 300             | Publication fee for republication  |                 |
| 1803                | 130             | 1803                | 130             | Request for voluntary publication or republication                         |                 |
| 1808                | 130             | 1808                | 130             | Processing fee under 37 CFR 1.17(i) (except provisionals)                  |                 |
| 1454                | 1,300           | 1454                | 1,300           | Acceptance of unintentionally delayed claim for priority                   |                 |

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 40.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Bradley J. Bereznak, Esq.Signature: Date: July 16, 2003Reg. Number: 33,474Phone Number: (650) 908-2264